REMARKS

Claims 1-12 and 15-16 have been canceled without prejudice. Applicants amend pending claims 13-14 and 17-18 for further clarification. No new matter has been added.

Claims 13, 14, 17, and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' Admitted Prior Art ("AAPA") in view of U.S. Patent No. 5,768,306 to Sawahashi et al. Applicants amend the rejected claims in a good faith effort to further clarify the invention as distinguished from the cited references, and respectfully traverse the rejection.

The Examiner conceded that AAPA do not disclose the claimed storage and control unit features, and relied upon Sawahashi et al. as a combining reference that allegedly suggests these features.

Sawahashi et al. describe the received signal being kept stored in the memory 43 during the period in which the correlation is obtained by multiplying the received signal with replica of the spread code sequence by shifting by one chip, and the overwriting after that is to be performed by the next received signal.

Neither AAPA nor Sawahashi et al. disclose or suggest storing a received signal for sequentially performing a first and second correlation determination where the second correlation determination between the stored received signal and a plurality of kinds of spreading codes that are respectively different from a common spreading code is performed based on a timing obtained by the first correlation determination between the stored received signal and the common spreading code, and wherein the plurality of kinds of spreading codes comprises different candidates for a spreading inherent base station code. And even assuming, arguendo, that it would have been obvious to apply the technique described in Sawahashi et al. to AAPA, such a combination would have, at most, suggested the received

signal being kept stored during a first correlation in which the correlation is obtained while shifting the relative timing between the received signal and the common spread code.

In other words, even assuming, arguendo, that it would have been obvious to combine AAPA and Sawahashi et al. at the time the claimed invention was made, such a combination would still have failed to disclose or suggest,

> "[a] mobile station corresponding to DS-CDMA, said mobile station comprising:
> a receiving unit for receiving a signal from another apparatus;
> a storage unit storing the received signal; and
> a control unit using the stored received signal having been stored in the storage unit for sequentially performing:
> a first correlation determination between the stored received signal and a common spreading code with regard to a plurality of base stations by shifting a relative timing between the stored received signal and the common spreading code, and
> a second correlation determination between the stored received signal and a plurality of kinds of spreading codes that are respectively different from the common spreading code based on a timing obtained by the first correlation determination, wherein
> said plurality of kinds of spreading codes comprises different candidates for a spreading inherent base station code,"
> as recited in independent claim 13. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 13 is patentable over AAPA and Sawahashi et al., separately and in combination, for at least the foregoing reasons. Claims 14 and 17-18 incorporate features that correspond to those of claim 13 cited above, and are, therefore, patentable over the cited references for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Dexter T. Chang/
Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304
Telephone: (212) 940-6384
Fax: (212) 940-8986 or 8987
Docket No.: FUJO 16.216 (100794-11220)
DTC:tb